From:	Ken D'Ambrosio
To:	Microsoft ATR
Date:	1/8/02 11:36am
Subject:	Remedies for Microsoft antitrust suit.

Being as it currently appears that no settlement will occur, I felt it
in my, and my industry's, best interests to express my feelings with
regards to Microsoft, their actions, and some potential remedies. First
and foremost, let me explain that I have been a system administrator for
close to 20 years, and have had in-depth experience with most every
operating system that Microsoft has released, since and including DOS
2.0 and Windows 1.0. In all that time, I have seen relatively little of
the much-vaunted "innovation" that Microsoft claims. For example, it
was only when Digital Research's DR-DOS had clearly surpassed DOS 3.x's
capabilities (partition size, full-screen editor, etc.) that Microsoft
enhanced their own version of DOS (4.01 and 5.0 addressed the two above
issues, respectively). It was also during the beta phase of Windows
3.1, however, that they caused DR-DOS' own operating system to crash
when attempting to run Windows (1).

While I certainly can't criticize a company for attempting to make
money, I can when I believe they are hurting the consumers they purport
to help. I have seen Microsoft attempt this, time and again, when
Microsoft intentionally obfuscates file formats(2), communications
protocols, and API interactions, not to mention the explicit desire to
sabotage competition with said practices(3).

Finally, some of their latest legal shenanigans include a case against
Lindows (www.lindows.com), a Linux/Windows hybrid. It contends that
Lindows infringes on Microsoft's trademark of "Windows"(4). I,
personally, find it abhorrent that Windows, a descriptive name if ever I
heard one, was able to be trademarked in the first place, and certainly
find nothing wrong with combining the first half of the word "Linux"
with the second half of the word "Windows": I find it unlikely in the
extreme that anyone would become confused in any way about this --
certainly no moreso than Windows, itself, would become confused with the
previously trademarked windowing system for Unix, X Windows(5).

So, given a history of consistent, persistent abuses -- many more of
which I have failed to discuss (eg. Stac Software vs. Microsoft), but
would willingly do so upon request -- I humbly submit that only
pervasive, unarguable remedies will cause Microsoft to alter its
behavior.

- In order for alternative operating systems (eg., Linux, or the now
defunct BeOS) to be viable from a price perspective, new computer
purchases should have the operating system cost be seperated out from
the cost of the system as a whole. That way, the consumer is aware of
what he is paying for, and what alternatives would truly cost, instead

of merely purchasing a bundled system, and having no idea how much money
is being spent on software.

- Microsoft uses much that is proprietary in their system, which can
then, in turn, lock out competitors from creating competing programs.
(The fact that Microsoft has the best-selling operating system, an
embedded web browser, and the best-selling office software suite, gives
them an almost airtight stranglehold on what is essentially a
self-contained system.) Therefore, I recommend that all proprietary
formats, protocols, etc., be opened: the API, itself, file formats for
all (non-licensed) applications, communications protocols, and anything
else that would hinder competitors from being on a level playing field
when writing applications for the Windows platform.

Being that I am (obviously) a lay person, please forgive my relative
ignorance of pertinent law and/or guidelines for submission, but I felt
it important that I take the time to comment, and give some background.
Thank you for your time,

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1) See Caldera vs. Microsoft
(http://www.maxframe.com/DR/Info/lineo1_10_00.html), which was settled
out of court, but which was documented quite well by the respected
industry journal "Dr. Dobbs Magazine", as well as "Red Herring"
(http://www.tbtf.com/archive/0159.html#s02).
2) http://kt.zork.net/kernel-traffic/kt20001225_99.html#5, look for
paragraph starting "Elsewhere, Jeff V. M. added..."
3) http://winnetou.lcd.lu/halloween1.html#_Toc427495714
4) http://slashdot.org/article.pl?sid=01/12/20/237217&mode=thread
5) http://www.x.org/terms.htm, bottom of page.